

AO 120 (Rev. 08/10)	
TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Eastern District of North Carolina on the following

☒ Trademarks or ☐ Patents. (☐ the patent action involves 35 U.S.C. § 292.);

DOCKET NO. 5:12-CV-347-FL	DATE FILED 6/15/2012	U.S. DISTRICT COURT Eastern District of North Carolina
PLAINTIFF ArrivalStar S.A., et al		DEFENDANT City of Raleigh, et al
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 6,317,060		SEE ATTACHED COPY OF COMPLAINT
2 6,411,891		
3 6,486,801		
4 6,714,859		
5 6,804,606		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 6,904,359		
2 7,089,107		
3		
4		
5		

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK JULIE A. RICHARDS	(BY) DEPUTY CLERK Delsia Heath	DATE 6/18/2012
----------------------------	-----------------------------------	-------------------

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Case No.: 5: 12-cv-347**

ARRIVALSTAR S.A. and MELVINO
TECHNOLOGIES LIMITED,

Plaintiffs,

vs.

CITY OF RALEIGH and RALEIGH AREA
TRANSIT

Defendant.

**COMPLAINT FOR
PATENT INFRINGEMENT
(DEMAND FOR JURY TRIAL)**

Plaintiffs ArrivalStar S.A. and Melvino Technologies Limited (collectively, “ArrivalStar” or “Plaintiffs”), by and through their undersigned attorneys, for their complaint against defendants City of Raleigh and Raleigh Transit Authority (collectively referred to hereafter as “CAT” and/or “Defendant CAT”) hereby allege as follows:

NATURE OF LAWSUIT

1. This action involves claims for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code. This Court has exclusive jurisdiction over the subject matter of the Complaint under 28 U.S.C. § 1338(a).

THE PARTIES

2. ArrivalStar S.A. is a corporation organized under the laws of Luxembourg and having offices at 67 Rue Michel, Welter L-2730, Luxembourg.

3. Melvino Technologies Limited is a corporation organized under the laws of the British Virgin Island of Tortola, having offices at P.O. Box 3152, RG Hodge Building,

Road Town, Tortola, British Virgin Islands.

4. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,317,060 (“the ‘060 patent”), entitled “Base station system and method for monitoring travel of mobile vehicles and communicating notification messages” issued November 13, 2001. A copy of the ‘060 patent is annexed hereto as Exhibit A.

5. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,411,891 (“the ‘891 patent”), entitled “Advance notification system and method utilizing user-definable notification time periods” issued June 25, 2002. A copy of the ‘891 patent is annexed hereto as Exhibit B.

6. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,486,801 (“the ‘801 patent”), entitled “Base station apparatus and method for monitoring travel of a mobile vehicle” issued November 26, 2002. A copy of the ‘801 patent is annexed hereto as Exhibit C.

7. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,714,859 (“the ‘859 patent”), entitled “System and method for an advance notification system for monitoring and reporting proximity of a vehicle” issued March 30, 2004. A copy of the ‘859 patent is annexed hereto as Exhibit D.

8. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,804,606 (“the ‘606 patent”), entitled “Notification systems and methods with user-definable notifications based upon vehicle proximities” issued October 12, 2004. A copy of the ‘606 patent is annexed hereto as Exhibit E.

DEFENDANT CAT'S ACTS OF PATENT INFRINGEMENT

13. Defendant CAT has infringed claims of the '060, '891, '801, '859, '606, '359, and '107 patents through, among other activities, the use of CAT's Automated Bus Tracking system.

14. Defendant CAT's infringement has injured and will continue to injure ArrivalStar unless and until this Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '060, '891, '801, '859, '606, '359, and '107 patents

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs ask this Court to enter judgment against Defendant CAT, and against their subsidiaries, affiliates, agents, servants, employees and all persons in active concert or participation with them, granting the following relief:

- A. An award of damages adequate to compensate ArrivalStar for the infringement that has occurred, together with prejudgment interest from the date that Defendant CAT's infringement of the ArrivalStar patents began;
- B. Increased damages as permitted under 35 U.S.C. § 284;
- C. A finding that this case is exceptional and an award to ArrivalStar of its attorneys' fees and costs as provided by 35 U.S.C. § 285;
- D. A permanent injunction prohibiting further infringement, and/or the inducement and contributory infringement, of the ArrivalStar patents; and
- E. Such other and further relief as this Court or a jury may deem proper and just.

JURY DEMAND

ArrivalStar demands a trial by jury on all issues presented in this Complaint.

Dated: June 15, 2012

Respectfully submitted,

/s/ Anthony E. Dowell
Anthony E. Dowell
aedowell@dowellbaker.com
Indiana Bar # 24041 79
Geoffrey D. Smith
GSmith@dowellbaker.com
Indiana Bar # 26597 79

DOWELL BAKER, P.C.

Attorneys for Plaintiffs

201 Main St., Suite 710

Lafayette, IN 47901

(765) 429-4004

(765) 429-4114 (fax)

/s/ Susan Freya Olive
NC State Bar No. 7252

OLIVE & OLIVE, P.A.

Attorneys for Plaintiffs

500 Memorial Street, PO Box 2049

Durham, NC 27702

Email: emailboxEDNC@oliveandolive.com

Telephone: (919) 683-5514

Fax: (919) 688-3781

Local Civil Rule 83.1 Counsel